IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 30763 of 2006(K)

PETITIONER:

ABU K.V.,
MATAVAN KANDY, KARUVANNUR P.O.,
NADUVANNUR VIA., KOZHIKODE.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

---

1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM.

3. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY THE SECRETARY,
KERALA PUBLIC SERVICE COMMISSION,
PATTOM, THIRUVANANTHAPURAM.

4. THE UNIVERSITY GRANTS COMMISSION,
REPRESENTED BY THE SECRETARY,
UNIVERSITY GRANTS COMMISSION, NEW DELHI.

BY GOVT. PLEADER SRI. A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No.30763 OF 2006

- -

Dated this the 21st day of November, 2006

JUDGMENT

Petitioner applied for the post of Lecturer in Commerce in Kerala Collegiate Education Department pursuant to Ext.P1 notification. According to the petitioner, he has sufficient qualification as per the Rules and as per the notification. But the Public Service Commission vide Ext.P6 cancelled the petitioner's candidature on the ground that the petitioner is not qualified. Petitioner relies on Ext.P5 certificate issued by the Bharathidasan University. It is stated that the petitioner is qualified in the State Level Educational Testing for Lecturership. This question has been considered by this court in W.P.(C). Nos. 20406 of 2004 and 22742 of 2004. Therein this court held that having regard to the Special Rules and the terms of the notification, a qualification such as Ext.P5 cannot be pressed into service.

In such circumstances, the writ petition is only to be dismissed following the judgment in the other two writ petitions. It is dismissed. Counsel for the petitioner submits that the petitioner has already moved the Government. I am not expressing any view in regard to the said matter.

(K.M. JOSEPH, JUDGE)

sb

K.M.JOSEPH, JJ.

- - - - - - - - -- -

W.A. No. OF

- -- - - - - - - - - - - - - - -

JUDGMENT

Dated this the day of February, 2006.